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**4**

Number of Pages (including this page)

Date: August 22, 2005

To: Stephen M. Dagosta- Art Unit 2683

Location: United States Patent and Trademark Office

~~571-273-8300~~Fax No.: ~~703-872-9306~~ Centralized Facsimile Number

From: Kevin D. Wills

REG. NO. 43,993

Serial No.:

Docket No.:

Subject: 09/997,513

IRI05441

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**MESSAGE:**

Enclosed herewith, please find **NOTICE OF APPEAL** for filing in the below-identified application.

|                                |                     |
|--------------------------------|---------------------|
| <b>EXAMINER:</b>               | Stephen M. Dagosta  |
| <b>ART UNIT:</b>               | 2683                |
| <b>APPLICATION SERIAL NO.:</b> | 09/997,513          |
| <b>FILE DATE:</b>              | November 29, 2001   |
| <b>INVENTOR:</b>               | Peter J. Armbruster |

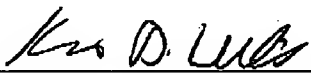
Confirmation No.:5018

|  |                      |                        |          |
|--|----------------------|------------------------|----------|
| <b>TRANSMITTAL<br/>FORM</b><br><small>(to be used for all correspondence after initial filing)</small> | Application Number   | 09/997,513             |          |
|  | Filing Date          | November 29, 2001      |          |
|  | First Named Inventor | Peter J. Ambruster     |          |
|  | Group Art Unit       | 2683                   |          |
|  | Examiner Name        | Stephen M. Dagosta     |          |
| Total Number of Pages in this Submission   | 4                    | Attorney Docket Number | IRI05441 |

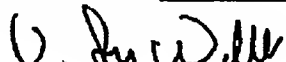
  

| ENCLOSURES   |  | (check all that apply)  |
|--|--|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/Declaration(s)<br><input type="checkbox"/> Extension of time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Documents<br><input type="checkbox"/> Response to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Response to Missing Parts<br>Under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers<br>(for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-Related papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation,<br>Change of Correspondence<br>Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CDs | <input type="checkbox"/> After Allowance<br>Communication to Group<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input checked="" type="checkbox"/> 2 Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter with appropriate copies<br><input checked="" type="checkbox"/> 2 Other Enclosure(s) (please identify below)<br><input type="checkbox"/> Response to Restriction Requirement<br><input type="checkbox"/> Associate Power of Attorney<br><input checked="" type="checkbox"/> Transmittal Form<br><input checked="" type="checkbox"/> Facsimile Transmittal |
| Remarks <span style="border: 1px solid black; display: inline-block; width: 100px; height: 1.2em; vertical-align: middle;"></span>   |  |   |


| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |                  |        |
|--|---|------------------|--------|
| Firm or Individual                         | Kevin D. Wills  | Registration No. | 43,993 |
| Signature                                  |  |                  |        |
| Date                                       | August 22, 2005   |                  |        |

| CERTIFICATE OF TRANSMITTAL/MAILING  |   |
|---|---|
| I hereby certify that this correspondence is being facsimile transmitted to facsimile number <u>571-273-8300</u> or deposited with the United States Postal Service with sufficient postage thereon, as first-class mail, in an envelope addressed to:<br>Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on the date listed below: |   |
| Typed or printed name   | V. Lynn Webb  |
| Signature   |  |
| Date  | August 22, 2005   |

AUG 22 2005

Confirmation No.:5018

|   |  |                                  |
|---|--|----------------------------------|
| <b>NOTICE OF APPEAL FROM THE EXAMINER TO<br/>THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>  |  | Docket Number<br><b>IRI05441</b> |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450" on: August 22, 2005<br><br>Signature _____<br><br>Typed or printed name <u>V. Lynn Webb</u>  | In re Application of <b>Peter J. Ambruster</b><br>Application Number <b>09/997,513</b><br>Filed <b>November 29, 2001</b><br>For <b>USER CONTROLLED HOME LOCATION REGISTER</b><br>Art Group <b>2683</b><br>Examiner <b>Stephen M. Dagosta</b> |                                  |
| Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.<br>The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ <u>500.00</u><br><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____<br><input type="checkbox"/> A check in the amount of the fee is enclosed.<br><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.<br><input checked="" type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a Fee Transmittal in duplicate.<br><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any over payment to Deposit Account Number <b>502117, Motorola, Inc.</b> This document is enclosed in duplicate.<br><input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.<br><p style="text-align: center; font-size: small;">WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> I am the<br><input type="checkbox"/> applicant/inventor.<br><input type="checkbox"/> assignee of record of the entire interest.<br>See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96)<br><input checked="" type="checkbox"/> attorney or agent of record.<br>Registration number <u>43,993</u><br><input type="checkbox"/> Attorney or agent acting under 37 CFR 1.34(a).<br>Registration number if acting under 37 CFR 1.34(a). _____<br><p style="text-align: right; margin-right: 100px;"> <br/>           Signature<br/> <u>Kevin D. Wills</u><br/>           Typed or printed name<br/> <u>480-732-5364</u><br/>           Telephone number<br/> <u>August 22, 2005</u><br/>           Date         </p> <p style="font-size: small;">NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</p> <input checked="" type="checkbox"/> * Total of <u>2</u> forms are submitted. |  |                                  |

This collection of information is required by 37 CFR 1.91. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

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